

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

WILLIAM MONTAQUE,

Plaintiff,

v.

Civil Action No. 3:14-cv-812-JAG

CAROLYN W. COLVIN,
Commissioner of Social Security,

Defendant.

FINAL ORDER

This matter comes before the Court on the plaintiff's Objection (Dk. No. 17.) to the Magistrate Judge's Report and Recommendation. (Dk. No. 16.) Having reviewed the Magistrate Judge's Report and Recommendation, the plaintiff's Objection, and the record, and finding no error therein, it is hereby ordered that:

- (1) The plaintiff's objections to the Report and Recommendation of the Magistrate Judge are OVERRULED as MOOT, because the plaintiff received the requested relief in the Magistrate Judge's ruling. Should plaintiff have further concerns, after the Social Security Administration evaluates the case again; plaintiff may appeal;
- (2) The Report and Recommendation of the Magistrate Judge (Dk. No. 16.) is ADOPTED on the basis of the reasoning of the Report and Recommendation;
- (3) The plaintiff's Motion for Summary Judgment (Dk. No. 12.) is GRANTED;
- (4) The Commissioner's Motion for Summary Judgment (Dk. No. 14.) is DENIED; and

(5) The Commissioner's decision denying benefits to the plaintiff is VACATED and REMANDED.

It is further ORDERED that the issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

Date: September 14, 2015
Richmond, VA

/s/ [Signature]
John A. Gibney, Jr.
United States District Judge